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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,346	01/23/2002	Gunnar Skarping	AWA-043XX	3184
207	7590	07/18/2005	EXAMINER	
WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP TEN POST OFFICE SQUARE BOSTON, MA 02109			BHAT, NINA NMN	
			ART UNIT	PAPER NUMBER

1764

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/980,346

Applicant(s)

SKARPING ET AL.

Examiner

N. Bhat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) 1-17 and 20-22 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 18 is/are rejected.
7) ☒ Claim(s) 19 is/are objected to.
8) ☒ Claim(s) 1-22 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. Applicant's election of the Group III, claims 18-19 in the reply filed on May 6, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Applicant merely argued that there was no undue burden on the examiner to examine all the claims. Claims 1-17 and 20-22 have been withdrawn from further consideration. The restriction requirement is hereby made **FINAL**.
2. Claim 19 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from a multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claim 19 has not been further treated on the merits. Claim 19 is further objected to as being dependent on non-elected claims.
3. Claim 18 is objected to because of the following informalities: Applicant has used preferably language describing the volatile primary and second amine immobilized and mixed with the carboxylic acid preferably formic acid, acetic acid or propionic acid. Applicant is suggested to avoid using linking terms like preferably and draft a dependent claim, which claims the specific or preferred amines or carboxylic acids. Appropriate correction is required.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claim 18 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Takahashi et al. 5, 763,096.

Takahashi et al. teach a film, which includes a coating of carboxylic acid, and a primary amine on the surface of the coated layer.[Note Column 1, lines 61-67] The film fully anticipates applicant's claim as presently drafted.


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schaedlich et al. teach an apparatus and method for collecting gaseous mercury and differentiating between different mercury components. Gundel et al. teach a method for fabricating a quantitative integrated diffusion vapor particle sample for sampling, detecting and quantification of semi-volatile organic gases, vapors and particulate components. Koutrakis et al. teach a denuder for gas sampling. Nordqvist et al. teach in "Comparison of denuder and impinger sampling for determination of gaseous toluene diisocyanate in Fresenius J. Anal. Chem 2001. Nordqvist teaches in PhD dissertation dated 2004, from Dept. of Analytical Chemistry, Stockholm University, the "Development and Evaluation of a Denuder-Filter System Designed for Sampling Diisocyanate Aerosols". "Aerosol/Vapor Partitioning of Monomeric Isocyanides" uses a DBA coated absorber for sampling isocyanates, no date. JEM 2005, 7(5), 469-474 by Nordqvist et al. teach a chemisorptive cylindrical denuder designed for measurement of isocyanates.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to N. Bhat whose telephone number is 571-272-1397. The examiner can normally be reached on Monday-Friday, 9:30AM-6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola can be reached on 571-272-1444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


N. Bhat
Primary Examiner
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